

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

KENNEDY MINNIFIELD,

Petitioner,

vs

WARDEN STEVE DEES, et al,

Respondent(s).

CIVIL ACTION NO. 97-N-8-S

99 SEP 30 PM 12:18  
U.S. DISTRICT COURT  
N.D. OF ALABAMA

FILED

ENTERED  
SEP 30 1999

MEMORANDUM OF OPINION

The court has considered the entire file in this action together with the Magistrate Judge's Report and Recommendation, and the objections of the petitioner,<sup>1</sup> and has reached an independent conclusion that the Magistrate Judge's Report and Recommendation is due to be adopted and approved. The court hereby adopts and approves the findings and recommendation of the magistrate judge as the findings and conclusions of the court. In accord with the recommendation, this petition for writ of habeas corpus is due to be dismissed. An appropriate order will be entered.

DONE, this 30<sup>th</sup> day of September, 1999.

  
EDWIN L. NELSON,  
UNITED STATES DISTRICT JUDGE

<sup>1</sup>Although the petitioner has filed what he calls "Notice Appeals," he cannot appeal from the report and recommendation. Thus, the court will construe his "Notice Appeals" as an objection to the report and recommendation. The petitioner must file another notice of appeal if he intends to appeal from the final judgment in this case.

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